

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MECHANICAL VENTILATION IN THE PRESENCE OF SLEEP DISORDERED BREATHING

the specification of which was filed on June 27, 2006, as United States Application Serial No. 10/596,680 or PCT International Application No. PCT/AU04/01833 which was filed on December 24, 2004.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or (f), or 365 (b), of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority claimed	
(Number)	(Country)	(Day/month/year filed)	Yes	No
			<u>G</u>	<u>G</u>
			Yes	No
			<u>G</u>	<u>G</u>
			Yes	No
			<u>G</u>	<u>G</u>
			Yes	No
			<u>G</u>	<u>G</u>
			Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>60/533,411</u>	<u>December 29, 2003</u>
(Application No.)	(Filing Date)
<u>60/545,658</u>	<u>February 18, 2004</u>
(Application No.)	(Filing Date)
<u></u>	<u></u>
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing date)	(Status: patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, all of the practitioners associated with **Customer Number 22440** as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence and telephone calls to **Michael I. Rackman** at the address and telephone number associated with the Customer Number identified above.

Full name of first inventor Robert DOUGLAS

Inventor's Signature *Robert Douglas* Date 14 Dec 06
 Residence 21 Attunga Road, Newport, New South Wales 2106, Australia
 Citizenship Australian
 Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of second joint inventor Anthony John UJHAZY

Inventor's Signature _____ Date _____
 Residence 28 Woodlands Road, East Lindfield, New South Wales 2070, Australia
 Citizenship Australian
 Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of third joint inventor Glenn RICHARDS

Inventor's Signature *G Richards* Date 23 Nov 06
 Residence 35 North Street, Clevedon, New Zealand
 Citizenship New Zealand
 Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of fourth joint inventor Mark David BUCKLEY

Inventor's Signature _____ Date _____

Residence Forstenrieder-Park-Str 22a, Buchendorf 82131, Germany

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of fifth joint inventor Klaus Henry SCHINDHELM

Inventor's Signature Klaus Schindhelm Date 28/11/06

Residence 10 Williamtown Court, Glenhaven, New South Wales 2156, Australia

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

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Full name of first inventor Robert DOUGLAS

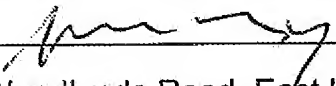
Inventor's Signature _____ Date _____

Residence 21 Attunga Road, Newport, New South Wales 2106, Australia

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of second joint inventor Anthony John UJHAZY

Inventor's Signature  Date 20 Feb 07

Residence 28 Woodlands Road, East Lindfield, New South Wales 2070, Australia

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of third joint inventor Glenn RICHARDS

Inventor's Signature _____ Date _____

Residence 35 North Street, Clevedon, New Zealand

Citizenship New Zealand

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of fourth joint inventor Mark David BUCKLEY

Inventor's Signature _____ Date _____

Residence Forstenrieder-Park-Str 22a, Buchendorf 82131, Germany

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of fifth joint inventor Klaus Henry SCHINDHELM

Inventor's Signature _____ Date _____

Residence 10 Williamtown Court, Glenhaven, New South Wales 2156, Australia

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Residence	<u>21 Attunga Road, Newport, New South Wales 2106, Australia</u>		
Citizenship	<u>Australian</u>		
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Full name of second joint inventor Anthony John UJHAZY

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Full name of third joint inventor Glenn RICHARDS

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Residence	<u>35 North Street, Clevedon, New Zealand</u>		
Citizenship	<u>New Zealand</u>		
Post Office Address	<u>c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia</u>		

Full name of fourth joint inventor Mark David BUCKLEY

Inventor's Signature  Date 10 JAN 2007

Residence Forstenrieder-Park-Str 22a, Buchendorf 82131, Germany

Citizenship Australian

Post Office Address c/o ResMed Ltd., 1 Elizabeth Macarthur Dr, Bella Vista, NSW 2153 Australia

Full name of fifth joint inventor Klaus Henry SCHINDHELM

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